19/47

File No. Lg. Asstt. Hill Tribes/47

Legal DEPARTMENT

C BRANCH

K

Subject:—

Correspondence relating to grant of Legal Assistance to the members of the Aboriginal and Hill Tribes.

P/E/

C O N T E N T S

Legal Department File No. Lg. Asstt. Hill Tribes/47

Sr. No.	Compilation No.	Subject	Pages
		Bills relating to legal Assistance, to Hill Tribes Grant of --	
1.	L.D.K.I. No 4709 28-5-46	-------- do ----- in Kolaba District	1
2.	L.D. Endo: No.4311 14-6-46	----- Do ------- Forwarding letter-	5
3.	L.D. G.R.No.826 23-1-47	Continuance of Scheme for one year	11.

Mjr/21/5
5 C.

21/5

Letter

No. B.C-244
Poona, 23rd May 1946

To

The Secretary to Government,
Legal Department, Bombay

Subject:- Legal Assistance
Grant of v.. to Aboriginal and Hill Tribes in Kolaba district.

The Special Enquiry Officer appointed to report on measures for improvement of the conditions of Bhils and other Aboriginal and Hill Tribes in partially excluded areas in Paragraph 219(2) of his report recommended that a member of such tribes" should be able to obtain free advice and representation from the Govt. pleader or other pleader appointed for the purpose not only when proceedings are threatened against them but also when he considers that he himself has been defrauded" and that"the cost of such consultations and representations should be borne by the state". Accordingly Government under their resolution Legal Department No.3460 of 24th April 1941 sanctioned the introduction of a schemen of granting legal assistance to members of Aboriginal and Hill Tribes in the districts of West Khandesh, Broach and Panch Mahals. The scheme has been extended to the districts of East Khandesh and Nasik in the Central Division and Thana in the Northern Division (vide G.R.L.D.No.2812 of 31st March 1942.)

Out of a total population of 668922 the aboriginals number 62170 in Kolaba district i.e. the aboriginals form 9.2% of the population of Kolaba district. They are equally as backward as aboriginals of Thana and Nasik districts. They also need the free legal assistance in all Civil proceedings or proceedings under the Mamlatdars Court Act or criminal proceedings which are really disguised civil proceedings. I would therefore suggest that,the question of extending scheme of granting legal assistance to the members of Aboriginal and Hill Tribes in district of Kolaba may kindly be considered in consulation with the Collector of Kolaba and the Commissioner, Southern Division.

Sd/-
Backward Class Officer,
Bombay Province, Poona.

Mgr/21/5
4 C.

Submitted. 15

2. This/a reference from the Backward Class Officer, Bombay Province, Poona regarding grant of legal assistance to Aboriginal and Hill Tribes in Kolaba District.

3. He suggests that the question of extending the scheme of granting legal assistance to members of Aboriginal and Hill Tribes in Kolaba District may be considered in consulation with/the Collector of Kolaba and the Commissioner Southern Divn. He states that out of a total population of 6,68,922, the aboriginal number 62,170 in Kolaba District who are equally as backward as aboriginals/s of Thana and Nasik Districts where the scheme had been extended by G.R. , L.D. No.2812, d/31-3-42. They also need the free legal ~~xxxixxxxx~~ assistance in all civil proceedings or proceedings under the Mamlatdars Court Act or criminal proceedings which are really disguised civil proceedings.

4. Since the introduction of the scheme by G.R.L.D. No. 3460 d/24-4-41 it is in existence in the 5 District viz. West-Khantesh, Broach, Panchmahals, East-Khandesh and Nasik and this is for the first time that the proposal of this nature has originated from the Backward Class Officer.

5. Perhaps as suggested by the Backward Class Officer the views of the Collector of Kolaba and the Commissioner, S.D. may be called for in this respect in the first instance.

Xd/- S-V-D.
29/5
Supdt. xd/- J.D. 6/6.
A.A.S.

The letter may be forwarded to the Collectors of Kolaba for favour of remarks & with a request to forward ~~xxxxx~~ the same through the Commissioner S.D.

Sd/- J-D-
6/6

A.S.S.

Sd/- 6/6

Mjr/21/5

4 C.

Below letter No. B.C. 244, dated the 23rd May 1946 from the Backward Class Officer, Bombay Province, Poona.

---x----x----x----

No. 4341

Legal Department,

Bombay Castle, 14th June 1946.

Forwarded with compliments to the Collector of Kolaba, at Alibag for favour of remarks and with a request to forward the same through the Commissioner, Souther Division.

Sd/- 11/6

~~B.C.~~

For Secretary to Government

Mjr/21/5

4 C.

No. Rul./523

Collector's Office , Kolaba,
Alibag, 20 June 1946

To.

The Secretary to Government
Legal Department, Bombay.

Subject:- Legal Assistance
Grant of- to Aboriginal & Hill
Tribes in Kolaba District.

Reference: Your No. 4341, dated the 14th June 1946

I agree that the scheme of granting legal assistance to members of aboriginal and Hill tribes may be extended to Kolaba District.

Sd/-
20/6/46

Collector of Kolaba.

Submitted through the Commissioner, Southern Division, Belgaum.

No. M.S.C.

Office of the Commissioner S.D.
Belgaum 13th July 1946

Submitted in agreement with the Collector.

Legal Department.

Sd/-
Commissioner S.D.

Mjr/21/5

4 Cs.-

Submitted with pp.

Please see Office notes dated 29.5.1946 and dated 2.8.1946 (P. 1 and p. 7 ante).

2. By G.R.L.D. No. 3640, dated the 24th April 1941 the scheme for the grant of legal assistance to aboriginal and Hill Tribes was introduced experimentally in two districts viz. West Khandesh in the Central Division and Broach and Panch Mahals in the Northern Division. This scheme was further extended in 1942 in the three districts viz. East Khandesh and Nasik in the Central Division and Thana in the Northern Division (Pl. see G.R. L.D. No. 2812, dated 31st March 1942). This scheme has been continued recently for a further period of one year (vide G.R.L.D. No. 2397, dated 29-3-1944) and a provision of Rs.1000/- made in the budget for 1946-47

3. Attention in this connection is invited to para 3 of A(F)'s note dated 26.2.1941. The Backward Class Officer States that out of a total population of 668922 the aboriginal numbers 42170 in Kolaba district i.e. the aboriginals form 0.2% of the population of Kolaba District. He adds that these aboriginals are equally as backward as those of Thana and Nasik districts. They also need the legal assistance in all civil proc eedings or proceedings under the Mamlatdars Court Act or Criminal proceedings which are really disguised civil proceedings. He therefore suggests that the scheme may be extended to the aboriginal and Hill Tribes in the district of Kolaba. The Collector of Kolaba and the Commissioner, S.D. agree with the Backward Class Officer. The Backward Class Officer has not however given the estimated cost that would accure if the scheme is extended in the Kolaba District. In view of the percentage cited by the Backward Class Officer. i.e. 0.2% it is anticipated that the eventual expenditure will not be high and it may perhaps be possible to meet the expenditure within the provision of Rs. 100/- made for the year 1946-47.

P.T.O.

It is, however, for consideration whether the scheme may be extended to the district of Kolaba as an experimental measure for a period of one year.

Sd/- C.S.Q.
10/9/

Supdt.

The scheme of granting legal assistance to the members of aboriginal and hill tribes in the six districts of West Khandesh, Broach, Panch Mahals, East Khandesh, Nasik and Thana will be extended as usual for another year with effect from 1-4-1947. Perhaps the scheme may also be made applicable to the aboriginals in the Kolaba district with effect from the date. These papers may be submitted to Govt. for orders.

Sd/- J.D.
11/9/-

A.A.S.

The proposal made by the Backward Class Officer at P 1 to extended to Kolaba Dist. the scheme of granting legal assistance to the members of aboriginal and ~~hill~~ hill tribes, and supported by the Collector of Kolaba (P.7) and the Commissioners S.D.(p. 8) may be sanctioned

Sd/- 12/9

D.S. Sd/- 12/9/

Secy Sd/- P. M. Mas. 26/9

H.M. (L) Sd/- 29/9

H.P.M. Sd/- 6/10

Mjr/21/5 (4 C.)

Legal Assistance

Grant of- to members of the Aboriginal and Hills Tribes.

GOVERNMENT OF BOMBAY.
Legal Department,
Resolution No. 826
Bombay Castle, 23rd January 1947

Read Government Resolution, No. 3640, dated the 24th April 1941.

Read Government Resolution, No. 2812, dated the 31st March 1942.

Read Government Resolution, No. 2956, dated the 21st April 1943

Read Government Resolution No. 9244, dated the 17th December 1943.

Read Government Resolution No. 8880, dated the 16th December 1944 and No.2397, dated the 29th March 1946.

RESOLUTION:- Government is pleased to direct that the scheme of granting legal assistance to members of Aboriginal and Hill Tribes should be continued for a further period of one year with effect from 1st April 1947 in the seven districts of East Khandesh, West Khandesh, Nasik, Broach, Panch Mahals, Thana and Kolaba.

2. Provision for the purpose will be made in the next year's budget under "27- Administration of Justice B-Law Officers-B- 2 Mofussil Establishment B 2(3) Allowances, Honoraria, etc."

By order of the Governor of Bombay,

sd/- B.D. Pandit

(B.D. PANDIT)

Assistant Secretary to Government

To.
All the Departments of the Secretariat (except the Separate Department),
The Commissioner, Northern Division,

Sd/-

A.A.S. Sd/- 3/2/

The Commissioner, Central Division,

The Commissioner Souther Division.

The Collector of East Khandesh,

The Collector of West Khandesh,

The Collector of Broach,

The Collector of Panch Mahals

The Collector of Nasik,

The Collector of Thana,

The Collector of Kolaba,

The District and Sessions Judge, East Khandesh,

The District and Sessions Judge, West Khandesh,

The District and Sessions Judge, Broach and Panch Mahals,

The District and Sessions Judge, Nasik

The District and Sessions Judge, Thana

The Registrar, High Court, Appellate Side, Bombay,

The Director of Publicity,

The Accountant General, Bombay,

The Backward Class Officer, Bombay Province, Poona,

The Bhill Special Officer, West Khandesh,

The Deputy Conservator of Forests, West Khandesh, Dhulia,

The Deputy Conservator of Forests and Divisional Forest Officer, West Khandesh, Dhulia

The Deputy Conservator of Forests and Divisional Forest Officer, East Khandesh, Jalgaon,

The Deputy Conservator of Forests and Divisional Forest Officer Broach and Panch Mahals Godhra,

The Deputy Conservator of Forests and Divisional Forest Officer, Nasik,

The Deputy Conservator of Forests and Divisional Forest Officer, Thana,

The District Superintendent of Police, East Khandesh, Jalgaon,

The District Superintendent of Police, West Khandesh, Dhulia,

The District Superintendent of Police, Nasik,

The District Superintendent of Police, Broach and Panch Mahals, Broach,

The District Superintendent of Police, Broach and Panch Mahals, Godhra,

The District Superintendent of Police, Thana,

The District Superintendent of Police, Kolaba.

Sd/-

Mjr/21/5

4 C.